

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 79-131

ORDER REQUIRING THE SAN RAFAEL SANITATION DISTRICT  
TO CEASE AND DESIST FROM DISCHARGING WASTES CONTRARY  
TO REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL  
WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION

I. FINDINGS

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter Board) finds that:

- A. On June 21, 1977, the Board adopted Order No. 77-63 (NPDES Permit No. CA0038041) prescribing requirements for the waste discharge by the San Rafael Sanitation District, (hereinafter discharger) from its municipal sewage treatment plant.
- B. The San Rafael Sanitation District provides treatment and disposal for wastewater collected by the City of San Rafael.
- C. The requirements of Order No. 77-63 state, in part, as follows:

"A. Prohibitions:

- 1. Discharge at any point at which the wastewater does not receive an initial dilution of at least 10:1 is prohibited (receiving water to wastewater flow).

...

B. Effluent Limitations:

- 1. Prior to achieving compliance with the limitations specified in B.2. below, the following interim limitations shall apply:

	<u>30 Day Average</u>
a. BOD	45 mg/l (4320 lbs/day) max.
b. Suspended Solids	45 mg/l (4320 lbs/day) max.
c. Settleable Matter	
The arithmetic average of any 6 or more samples collected on any day	0.5 ml/l-hr maximum
Any Sample	1.0 ml/l-hr maximum

- 2. Effluent discharged shall not exceed the following limits:

Constituent	Units	30-day Average	7-day Average	Maximum Daily	Instantaneous Maximum
a. BOD	mg/l	30	45	60	∞
	lbs/day	2880	∞	5760	∞
	kg/day	1305	∞	2610	∞
b. Suspended Solids	mg/l	30	45	60	∞
	lbs/day	2880	∞	5760	∞
	kg/day	1305	∞	2610	∞
c. Grease & Oil	mg/l	10	∞	20	∞
	lbs/day	959	∞	1918	∞
	kg/day	435	∞	870	∞
d. Settleable Matter	ml/l-hr	0.1	∞	∞	0.2

...

4. The arithmetic mean of the biochemical oxygen demand (50 day, 20°C) and suspended solids values, by weight, for effluent samples collected in a period of 30 consecutive calendar days shall not exceed 15 percent of the arithmetic mean of the respective values, by weight, for influent samples collected at approximately the same times during the same period (85 percent removal).

...

6. In any representative set of samples the waste as discharged shall meet the following limit of quality:

#### TOXICITY:

The survival of test organisms acceptable to this Board in 96-hour bioassays of the effluent shall achieve a median of 90% survival for three consecutive samples and a 90 percentile value of not less than 70% survival for 10 consecutive samples.

...

8. Total coliform bacteria for a median of 5 consecutive samples shall not exceed 240 MPN/100 ml. Any single sample shall not exceed 10,000 MPN/100 ml when verified by a repeat sample taken within 48 hours.

#### C. Receiving Water Limitations:

1. The discharge of wastes shall not cause the following conditions to exist in waters of the State at any place:
  - a. Floating, suspended, or deposited macroscopic particulate matter or foam;

...

- c. Alteration of temperature, turbidity, or apparent color beyond present natural background levels;

...

2. The discharge of wastes shall not cause the following limits to be exceeded in waters of the State in any place within one foot of the water surface;

...

- |                       |                          |
|-----------------------|--------------------------|
| d. Un-ionized Ammonia | 0.025 mg/l annual median |
| as N                  | 0.4 mg/l maximum         |

E. Provisions:

...

2. The discharger shall comply with the following time schedule to assure compliance with specifications of this Order:
- a. Compliance with Effluent Limitations B.2.a., B.2.b., B.2.c., B.2.d., B.4., and B.6; Receiving Water Limitations C.1.a., C.1.c., C.2.d., and Prohibition A.1.:

<u>Task</u>	<u>Completion Date</u>
Full Compliance	July 1, 1977

..."

- D. The requirements of STANDARD PROVISIONS, REPORTING REQUIREMENTS AND DEFINITIONS, an attachment to Order No. 77-63, state, in part, as follows:

"A. Standard Provisions:

1. Neither the treatment nor the discharge of wastes shall create a nuisance or pollution as defined by the California Water Code.

..."

- E. Reports from the discharger and the Board staff inspections indicate that the discharger is in violation of or is threatening to violate the requirements and time schedule listed in Findings C and D of this Order.
- F. Starting at 1 p.m. on October 8, 1979, in the San Rafael City Council Chambers, after due notice to the discharger and other affected persons, a hearing panel of the Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge. The hearing was reconvened 9 a.m. on October 16, 1979, in the Assembly Room, State Building, 1111 Jackson Street, Oakland, where further evidence was received.

- G. Upon the basis of evidence received, the hearing panel recommended that the Board issue a Cease and Desist Order against the discharger requiring that he comply with Order No. 77-63 in accord with a time schedule. The Board has independently reviewed the record of the hearing.
- H. The discharger is violating and threatening to violate the waste discharge requirements listed in Findings C and D of this Order.
- I. The Board finds that this action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Control Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.

II. IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements and time schedules listed in Findings C and D of this Order.
- B. The discharger shall comply with Board Order No. 77-63 for Prohibition A.1; Effluent Limitations B.1.a, B.1.b, B.1.c, B.2.a, B.2.b, B.2.c, B.2.d, B.4, B.6, B.8; Receiving Water Limitations C.1.a, C.1.c, C.2.d; Standard Provision A.1; and Provision E.2.a in accord with the following time schedule:

<u>Task</u>	<u>Completion Date</u>
1. Complete all Joint Powers Agreements and/or institutional arrangements necessary to administer the design, construction and operation of the necessary facilities, and submit to State Water Resources Control Board legal staff for approval	by October 16, 1979
2. Provide documentation of availability of local share Step II project financing	by October 16, 1979
3. Document availability of engineering services for Step 2 (design) work	by January 1, 1980
4. Submit complete Step II grant application to SWRCB	by January 15, 1980
5. Award design contract	by March 15, 1980

Task

Completion Date

6. Provide documentation of availability  
local share of Step III (construction)  
project financing by November 15, 1980
  7. Award construction contract by May 1, 1981
  8. Full compliance by July 1, 1983.
- C. The discharger is required to submit to the Board by the fifteenth of every month, beginning November 15, 1979, a report, under penalty of perjury, on its progress toward compliance with this Order.
- D. If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized, after approval of the Board Chairman, to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.
- E. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on October 16, 1979.

FRED H. DIERKER  
Executive Officer